10 SIGNS
$1850

UP-2019-0267-SI

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
410-887-3391

B _____
A 167883

The applicant is authorized to affirm that there are no current violations at this site pursuant to Section 112.7 BCC
Initials W.Z.

SIGN USE PERMIT

Permit Fees are Non-Refundable; Make Check Payable to "Baltimore County, Maryland"

PROPERTY ADDRESS 5361 Nottingridge Road ZIP CODE 21237
BUSINESS NAME Sheehy Nissan ZONING BM
OWNER'S NAME Sheehy White Marsh Asso. LLC PHONE NO. _____ HISTORIC DISTRICT ☐ Yes ☒ No
MAILING ADDRESS 12701 Fair Lakes Circle Fairfax, VA. 22033
APPLICANT/OWNER'S AGENT Wayne Zinn PHONE NO. 410-789-1640
SIGN COMPANY NAME H&M Signs Inc. PHONE NO. 410-789-1640
TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO. 25 / 00 / 0014695
☐ Temporary- Including Real Estate/Construction/Event Temporary Signs in the Last Year: ☐ Yes ☐ No
☑ Permanent ☐ Changeable Copy ☑ Wall ☐ Face Change Only ☑ Non-Illuminated
☑ Freestanding ☐ Pylon ☑ Monument ☑ Illuminated (separate electrical permit required)

S/F Sign (A)
Size: 12.91 feet x 14.66 feet = 189.26 square feet Height: _____ feet (freestanding signs)
Property Line/Street Right-of-Way Setbacks: front _____, sides _____ and _____, and rear _____.

NOTE: A construction plan, drawn to scale and clearly showing that all requirements have been met, must be attached; a site plan also must be attached for freestanding signs.

Table of Sign Regulations: 450.4.Attachment 1, 1.- An Electronic Changeable Copy Sign may only have a maximum Frequency of one instantaneous message change per 15 second cycle.

450.6.B.3 Changeable copy signs must operate at a constant intensity and not give the appearance of movement by flashing, blinking, strobing, scrolling, oscillating, or alternating lights.

PROHIBITIONS: including roof signs (Sections 450.5.B.7 and 450.6.A, Baltimore County Zoning Regulations):

1. Signs cannot impair motorist's clear view of traffic or government signs. All signs are subject to Section 102.5, BCZR.
2. Signs cannot imitate or resemble government signs, except for private traffic control and notice signs.
3. Signs cannot be placed in or project into or above street right of way or governmental property.
4. Sign or framework cannot obstruct window or opening for light and air or access to building, fire hydrant, or stand pipe.
5. Vehicle cannot be parked for the purpose of displaying an attached sign.
6. Except for flags exempted, flags, pennants, ribbons, streamers, tethered balloons, laser projections, and similar objects are prohibited.
7. Portable signs are prohibited, except for A-frame and sandwich board signs issued a use permit in B.M. – C.T. zones.
8. There can be no display or simulation of moving parts or message, except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a thermometer, barometer, weather vane, barber pole, or clock.
9. No sign may emit sound

* ZONING CASE 2019-0088-A

Work Description (including number of signs, special conditions, materials, locations and size): Sign (E) S/F 9'x1.58'=14.22 ✓
Signs (F) 2-S/F 11.41'x1.0'=11.41 ✓ each Signs (G)(H)(I) D/F 2.0'x8.0'=16 ✓ each
Sign (J) 1-D/F 1.25'x6.66'=8.33 ✓ Sign (K) D/F 1.25x5.33=6.67 ✓
Signs (L)(M) 2-D/F 2.40'x4.0'=9.60 ✓ Signs A→F are illuminated

CORNER LOT ☒

Variance # 2019-0088-A

OWNER/AGENT CERTIFICATION

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above are true and further agree to locate the proposed sign such that it will not violate Baltimore County laws and regulations.

Wayne Z — Signature
2/8/2019 — Date
Wayne Zinn — Print/Type Name

☐ Require Planning Signature N/A Date _____

Copies: White-Office; Yellow- Applicant (keep this Copy for your permanent records)
REV 10/14

Authority under Section 500.4, BCZR **PAI Approval** (SIGN ONLY)
A KM — Signature
AT — Initials
2/8/19 — Date

Permits, Approvals & Inspections

111W. Chesapeake Avenue
Towson, MD 21204

Report Generated On: 2/8/2019

Permit Processing Commerical Permit & Development Report

Property Information

Tax Account Number: 2500014695 **Plat Ref:** 079:747 **Election District:** 11

Owner Name(s): SHEEHY WHITE MARSH PROPERTY LLC
Address: SUITE 250 12701 FAIR LAKES CIRCLE
FAIRFAX,VA 22033
Premise Address: 5361 NOTTINGRIDGE RD

PDM #: 14-0302
Zoning District(s): BM
Elevation Range: 66ft - 80ft

Affected Overlays / Contact Agency	Instructions: Begin review process with Zoning Review, Room 111 Potential Overlay Issues	New Com Bldg.	Interior Alts.	Add / Ext. Alts.	Piers/Pilings	Grading/SW	Tanks	Ret.Walls/Bulk	Razing	Chg. of Occup.	Tower Antenna	Signs	Elect. & Plumb	Agency Acknowledgment Initial & Date
	Growth Tier 1: Served by public sewer and inside URDL													
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	**Note: All Razing Permits must be sent to Sediment Control for review.**													
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	**Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services.**													
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1947-0855-X; 2019-0088-A	X		X	X	X	X			X	X	X		

Notice: This report is not inclusive as additional issues may arise which would affect the ability to obtain a building permit. This Report is solely for Departmental use and nothing herein creates any right which would accrue to the applicant.

Form171C

DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 5, 2018

David H. Karceski, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Petitions for Variance
Case No. 2019-0088-A
Property: 5361 Nottingridge Road

Dear Mr. Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB: sln
Enclosure

IN RE: PETITION FOR VARIANCE (5361 Nottingridge Road) 11th Election District 6th Council District Sheehy White Marsh Property, LLC *Legal Owner* Petitioner	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2019-0088-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Sheehy White Marsh Property, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief pursuant to the Baltimore County Zoning Regulations ("BCZR") as follows: **(1)** To allow three wall-mounted enterprise signs on one façade of a single tenant commercial building in lieu of the three enterprise signs permitted with no more than two on each façade (Signs A, C, D) and to allow a wall-mounted enterprise sign with a sign area/face of 191 square feet in lieu of the 150 square feet permitted for a single sign (Sign A); **(2)** To allow a wall-mounted sign to extend 4 feet from the wall to which it is attached in lieu of the permitted 18 inches (Sign A); **(3)** To allow directional signs (wall-mounted and freestanding) with sign area/faces a maximum of 16 square feet in lieu of the permitted 8 square feet (Signs E, F, G, H, I, J, L, M) and to allow a sign height of 7 and 8 feet in lieu of the permitted 6 feet in height (Signs G, H, I, J); **(4)** To allow a freestanding sign to be erected as close as 48 feet from another freestanding sign in lieu of the permitted 100 feet (Signs B-J, H-B, H-I, J-G, G-L, L-M); and **(5)** To allow a wall-mounted enterprise sign to extend 3 feet and 6 inches above the top of the wall to which it is attached without any eaves or a parapet (Sign A). A 2-sheet site plan was marked as Petitioner's Exhibit 1A & 1B.

Professional engineer James Matis and Brad Fowler (on behalf of Sheehy) appeared in support of the petition. David H. Karceski, Esq. represented Petitioner. Mike Pierce attended the hearing to obtain additional information regarding the requests. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP'). That agency did not oppose the request.

The site is approximately 5.50 acres in size and zoned BM. Petitioner recently constructed a commercial building on the site and will soon open a Nissan automobile dealership. This case concerns the signage proposed for the dealership.

A variance request involves a two-step process, summarized as follows:

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to provide sufficient signage to alert motorists on Md. Route 7 to the location of the dealership. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 5th day of **December, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance as follows: **(1)** To allow three wall-mounted enterprise signs on one façade of a single tenant commercial building in lieu of the three enterprise signs permitted with no more than two on each façade (Signs A, C, D) and to

allow a wall-mounted enterprise sign with a sign area/face of 191 square feet in lieu of the 150 square feet permitted for a single sign (Sign A); **(2)** To allow a wall-mounted sign to extend 4 feet from the wall to which it is attached in lieu of the permitted 18 inches (Sign A); **(3)** To allow directional signs (wall-mounted and freestanding) with sign area/faces a maximum of 16 square feet in lieu of the permitted 8 square feet (Signs E, F, G, H, I, J, L, M) and to allow a sign height of 7 and 8 feet in lieu of the permitted 6 feet in height (Signs G, H, I, J); **(4)** To allow a freestanding sign to be erected as close as 48 feet from another freestanding sign in lieu of the permitted 100 feet (Signs B-J, H-B, H-I, J-G, G-L, L-M); and **(5)** To allow a wall-mounted enterprise sign to extend 3 feet and 6 inches above the top of the wall to which it is attached without any eaves or a parapet (Sign A), be and is hereby GRANTED.

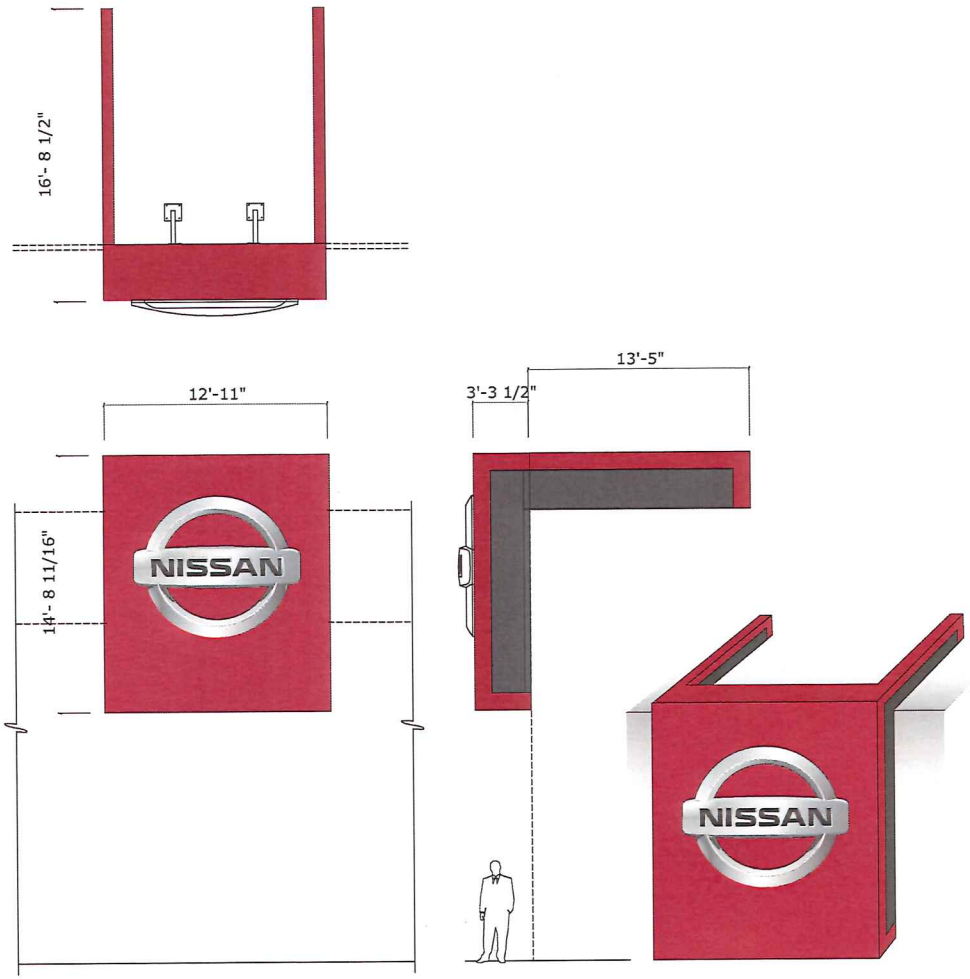
The relief granted herein shall be subject to the following:

(1) Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
(2) No banners, temporary signs, glittering car sale signs, balloons, laser projections or similar displays shall be placed along the property road frontages or on the buildings.

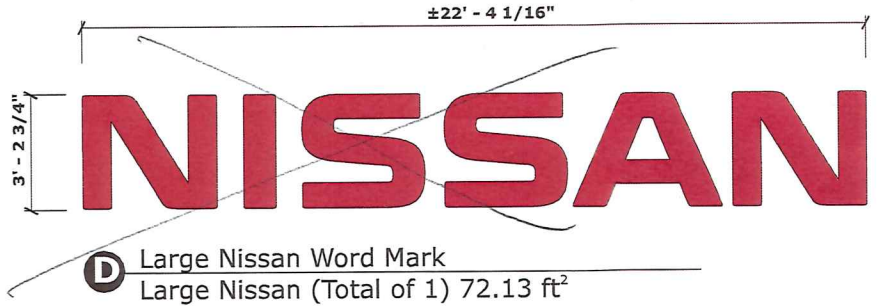
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

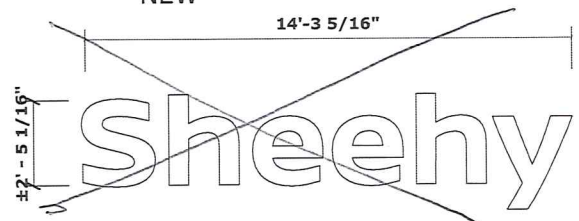
JEB/sln



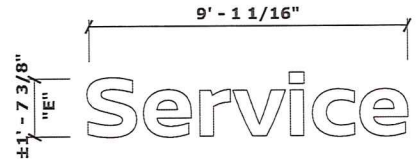
A **Large Nissan Tablet**
Large Nissan Tablet (Total of 1) 190.18 sq.ft.
NEW



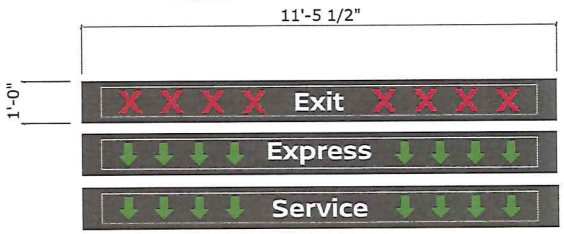
D Large Nissan Word Mark
Large Nissan (Total of 1) 72.13 ft²
NEW



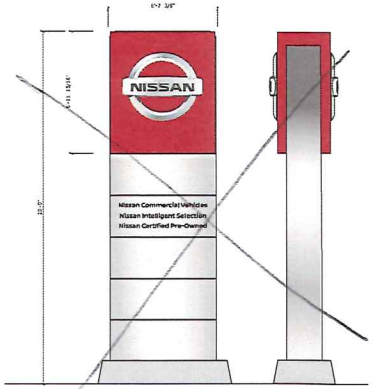
C Large Dealer Name Letters
Large Nissan (Total of 1) 34.57 ft²
NEW



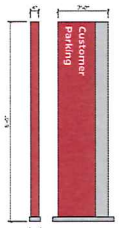
E Large Service Letters
Large Service Letters (Total of 1) 14.67 ft²
NEW

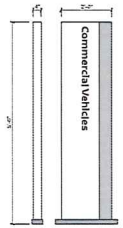


F Service Reception Directory
11.45 ft² (Total of 2)
NEW



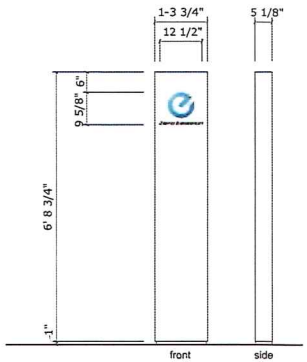
B P43 Pylon
43.68 ft² (Total of 1)
NEW

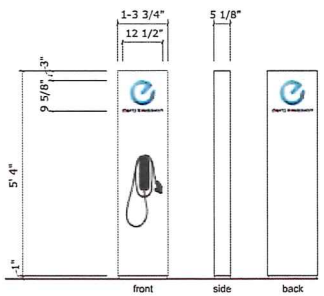




G **H** CP-8 - Customer Parking Sign
16 ft² (Total of 2)
NEW

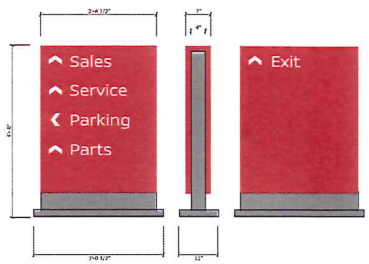
I CP-8 - Commercial Vehicle Parking Sign
16 ft² (Total of 1)
NEW

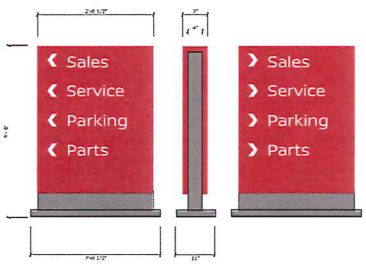




J Display Totem - Zero Emission
8.94 ft² (Total of 1)
NEW

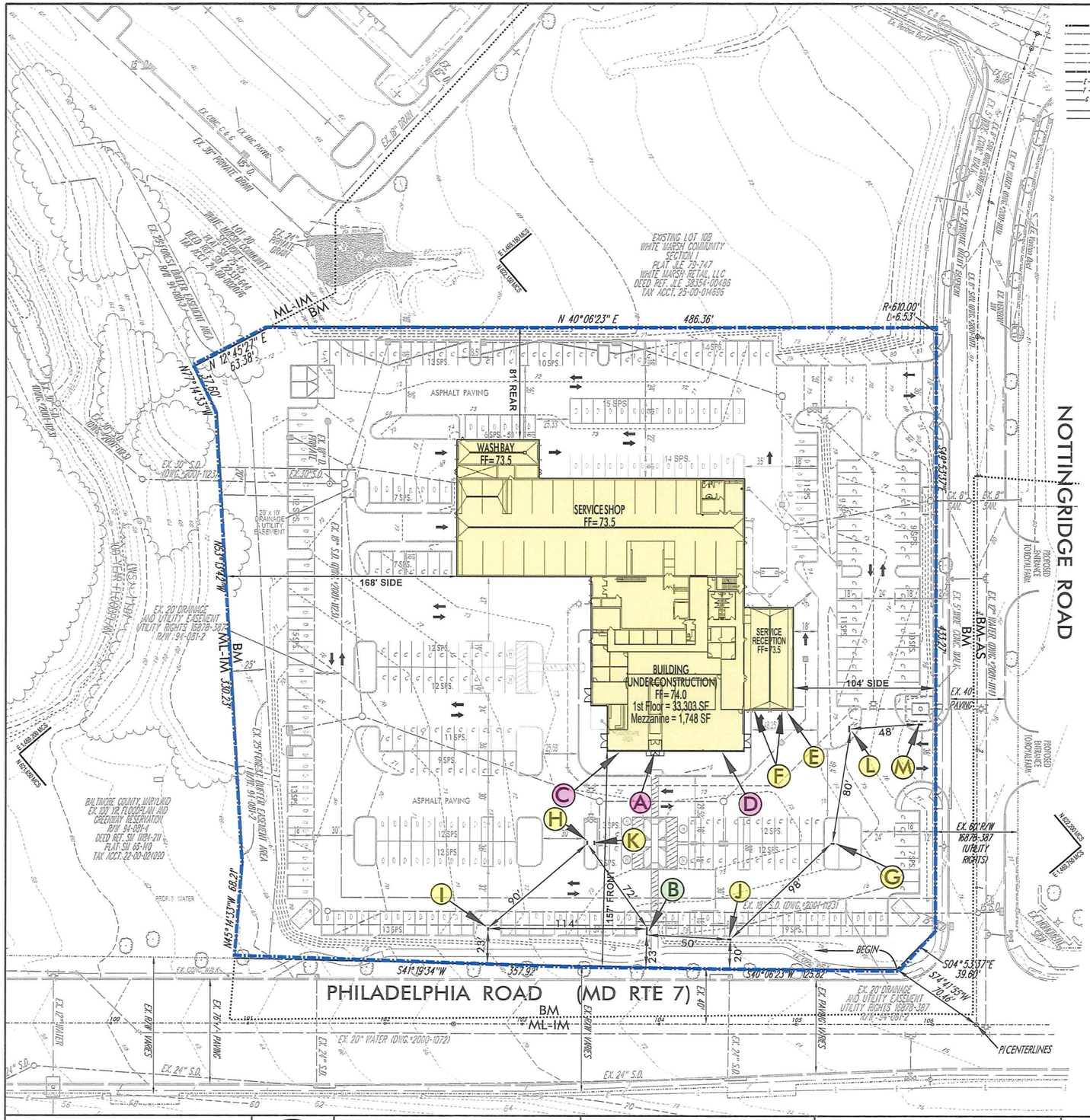
K EV - Charging Doc Station
7.10 ft² (Total of 1)
NEW





L DG-4 Ground Directional
10.83 sq.ft. (Total of 1)
NEW

M DG-4 Ground Directional
10.83 sq.ft. (Total of 1)
NEW


NOTTINGRIDGE ROAD
PHILADELPHIA ROAD (MD RTE 7)
EXISTING LOT 109
WHITE MARSH COMMUNITY
SECTION I
PLAT JLE 79-747
WHITE MARSH RETAIL LLC
DEED REF. JLE 39354-00186
TAX ACCT. 25-00-016655
N 40°06'23" E 486.36'
R=610.00'
L=6.53'
S40°55'17"E 434.27'
N 12°45'27" E 63.38'
N77°14'33"W 37.60'
N45°14'33"W 68.21'
N45°14'33"W 330.23'
S41°19'34"W 357.92'
S40°06'23"W 125.82'
S04°53'37"E 39.60'
S74°41'55"W 70.46'
ML-1M
BM
81' REAR
168' SIDE
104' SIDE
WASH BAY
FF=73.5
SERVICE SHOP
FF=73.5
SERVICE RECEPTION
FF=73.5
BUILDING
UNDER CONSTRUCTION
FF=74.0
1st Floor = 33,303 SF
Mezzanine = 1,748 SF
ASPHALT PAVING
BEGIN
PROPOSED ENTRANCE TO NOTTINGHAM
EX. 60' R/W 16878-387 (UTILITY RIGHTS)
EX. 20' DRAINAGE AND UTILITY EASEMENT UTILITY RIGHTS 16878-387 R/W 94-081-2
BALTIMORE COUNTY, MARYLAND EX. 100 YR. FLOODPLAIN AND GREENWAY RESERVATION R/W 94-081-1 DEED REF. SM. 1109-211 PLAT SM 65-10 TAX ACCT. 22-00-021050
EX. 20' WATER (DWG.#2000-1072)
EX. 24" S.D. (DWG.#2000-1072)
EX. 10" S.D. (DWG.#2001-1023)
EX. 18" S.D. (DWG.#2061-1123)
EX. 12" WATER
EX. 8" WATER
EX. 8" SAN.
EX. 24" PVMT.
EX. 40' PAVING
EX. CONC. C & G
EX. 8" DRAIN
EX. 24" PRIVATE DRAIN
EX. 20' PRIVATE DRAIN
EX. 20' DRAINAGE AND UTILITY EASEMENT UTILITY RIGHTS 16878-387 R/W 94-081-2
20' x 10' DRAINAGE UTILITY EASEMENT
EX. 24" S.D. (DWG.#2000-1072)
EX. 20' WATER (DWG.#2000-1072)
EX. 24" S.D.
EX. CONC. WALK
EX. 5' CONC. SIDEWALK
EX. 6" CURB
EX. 12" WATER (DWG.#2000-1072)
EX. 8" SAN. (DWG.#2000-1072)
EX. 24" PVMT.
EX. 40' PAVING
EX. 60' R/W
PROPOSED ENTRANCE TO NOTTINGHAM
PI CENTERLINES
E 1,465,150 MCS
N 632,150 MCS
N 632,200 MCS
E 1,465,100 MCS
PROP. WATER
PROP. 2" SEWER SERVICE
PROP. 6" SEWER SERVICE
PROP. 8" SEWER SERVICE
PROP. 10" SEWER SERVICE
PROP. 12" SEWER SERVICE
PROP. 15" SEWER SERVICE
PROP. 18" SEWER SERVICE
PROP. 24" SEWER SERVICE
PROP. 30" SEWER SERVICE
PROP. 36" SEWER SERVICE
PROP. 42" SEWER SERVICE
PROP. 48" SEWER SERVICE
PROP. 54" SEWER SERVICE
PROP. 60" SEWER SERVICE
PROP. 72" SEWER SERVICE
PROP. 84" SEWER SERVICE
PROP. 96" SEWER SERVICE
PROP. 108" SEWER SERVICE
PROP. 120" SEWER SERVICE
PROP. 132" SEWER SERVICE
PROP. 144" SEWER SERVICE
PROP. 156" SEWER SERVICE
PROP. 168" SEWER SERVICE
PROP.